IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SIXTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 19914 of 2003

Between:

P.Suresh Babu s/o Kutumba Rao,
presently working as Station House Officer., Prohibition & Excise Station., Rajahmundry., East Godavari District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh represented by its Secretary., Revenue (Excise) Department., Secretariat Buildings., Hyderabad.
2 The Commissioner of Prohibition & Excise., Hyderabad.
3 The A.P.Public Service Commission., represented by its Secretary, Nampally, Hyderabad.
4 Yemala Yayaraju, father's name and age not known to the Petitioner, Prohibition & Excise Inspector., Office of the Prohibition & Excise., Superintendent., Kakinada.
5 G.Nageswar Rao s/o Musalaiah
Chilakaluripeta., r/o Vegendlavari Veedhi.,
Kalamandir Centre., Chilakaluripeta., Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction more particularly in the nature of Writ of Certiorari calling for the records pertaining to the Judgment, dated 14-07-2003 in O.A.No.7609 of 2001 on the file of A.P.Administrative Tribunal, Hyderabad and set aside the same as illegal, arbitrary, contrary to the legal and factual position on record

Counsel for the Petitioner:MR.RAVI KONDAVEETI, Advocate.
Counsel for the Respondent No.5: MR.J.SUDHEER, Advocate.

The Court made the following :

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ORDER: (per the Hon'ble Sri Justice G.Bishapathy)

1. This Writ Petition is filed by the petitioner challenging the order dated 14-07-2003 passed by the A.P. Administrative Tribunal, Hyderabad in O.A.No.7609 of 2001 and batch, wherein, the appointment of writ petitioner as Inspector of Excise was set aside.

2. During the course of hearing, it is brought to the notice of this Court that there are some more vacancies of Excise Inspectors in Zone-II. In such circumstances, we feel it desirable to dispose of the writ petition with the following direction.

The case of the fifth respondent in the writ petition shall be considered in the existing vacancies and the *inter se* seniority among the writ petitioner and the fifth respondent shall be considered in accordance with the existing rules.

3. Accordingly, the writ petition is disposed of with the above direction. No costs.

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Date: 16-07-2004 G.BIKSHAPATHY, J.

Jsu/Js

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B.SESHASAYANA REDDY, J.

To

1 The Secretary, Government of Andhra Pradesh,
Revenue (Excise) Department., Secretariat Buildings., Hyderabad.
2 The Commissioner of Prohibition & Excise, Hyderabad.
3 The Secretary, A.P.Public Service Commission, Nampally, Hyderabad.
4. 2CD copies.